

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI

In re: Paul Long
Ebony Long

: CASE NO 09-13469

: Chapter 13

: JUDGE PERLMAN

Debtor(s)

MOTION FOR MODIFICATION OF PLAN POST CONFIRMATION AND NOTICE

The Debtor(s) hereby move the Court for an Order to modify the Chapter 13 Plan. Support for the motion is set forth in the following memorandum.

MEMORANDUM IN SUPPORT

1. A plan has been confirmed.
2. Date petition filed: 05/03/2009 Date of last modification: n/a
3. Date plan confirmed: 08/11/2009 Date last modification confirmed: n/a
4. Length of Plan (months): Current: 48 Proposed: 60
5. Monthly Plan Payments: Current: \$685.00 Proposed: \$750.00

If the plan changes the monthly payments, then amended Schedules I and J are attached and will be filed with the Court.

6. Percent to Unsecured Creditors: Current: 100% Proposed: 100%

If the plan proposes to lower the plan percentage to unsecured creditors, then choose one of the following:

_____ Debtor(s) case was filed prior to October 17, 2005 and the new plan percentage is consistent with the liquidation analysis filed on _____ (date) OR Debtor(s) attach an amended liquidation analysis and will file it with the Court.

_____ Debtor(s) case was filed on or after October 17, 2005, Debtor(s) were BELOW median income at time of filing and the new plan percentage is consistent with the liquidation analysis filed on _____ (date) OR Debtor(s) attach an amended liquidation analysis and will file it with the Court.

_____ Debtor(s) case was filed on or after October 17, 2005, Debtor(s) were ABOVE median income at the time of filing with a Negative DMI on Form B22(c) and the new plan percentage is consistent with the liquidation analysis filed on _____ (date) or Debtor(s) attach an amended liquidation analysis and will file it with the Court.

_____ Debtor(s) case was filed on or after October 17, 2005, Debtor(s) were ABOVE median income at the time of filing with a Positive DMI on Form B22(c) and the new plan percentage is consistent with the DMI X 60 calculation OR Debtor(s) provide evidence of change in circumstance pursuant to 11 USC §1329, if the plan percentage deviates from the requirements of Form B22(C) and 11 USC 1325(b)(1)(B).

7. Reason for the modification, including any changes in circumstances since last plan:

Add post-petition mortgage arrearage of \$3294.81.

Attached is a list of the affected Creditors, applicable plan paragraphs affected and proposed new plan treatment.

WHEREFORE, debtor(s) move(s) the Court to modify debtor(s)' plan as set forth herein.

Respectfully submitted,
/s/Daniel Might
Attorney for Debtor(s)
Attorney Reg. No. OH 0067409
3907 North Bend Road
Cincinnati, OH 45211
513-389-3702

NOTICE

If the relief sought in this Motion is opposed, a written response to the Motion must be filed within twenty (20) days of the date of service as set forth in the certificate of service. The Court is authorized to grant the relief requested without further notice should a timely response not be filed.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Modify was served on the parties listed below by ordinary U.S. Mail or served electronically through the Court's ECF System at the e-mail address registered with the Court on this ___ day of ___, 2009.

/s/Daniel Might
Attorney for Debtor(s)

Margaret A. Burks, Esq.
Chapter 13 Trustee
600 Vine Street
Suite 2200
Cincinnati, Ohio 45202

U. S. Trustee
36 East 7th Street
Suite 2030
Cincinnati, Ohio 45202

Paul and Ebony Long
2551 Homestead Place
Cincinnati, OH 45211

U.S. Bank
c/o Lerner, Sampson & Rothfuss
120 East Fourth Street 8th Floor
Cincinnati, OH 45202-4007

MODIFICATION OF CHAPTER 13 PLAN

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Debtor (last name) Long, Paul and Ebony

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[List only creditors affected by modification]

Creditor name: US BANK

Type of Claim: (X) secured () unsecured () 507 priority () other

Nature of Claim: MORTGAGE

Current Plan (Paragraph No. 10):

Proposed Plan (Paragraph No. 10): Pre- and post-petition mortgage arrearage -- $15,410.90 + \$3,300 = 18,710.90$.

Creditor name:

Type of Claim: () secured () unsecured () 507 priority () other

Nature of Claim:

Current Plan (Paragraph No. _____):

Proposed Plan (Paragraph No. _____):

Creditor name:

Type of Claim: () secured () unsecured () 507 priority () other

Nature of Claim:

Current Plan (Paragraph No. _____):

Proposed Plan (Paragraph No. _____):

Creditor name:

Type of Claim: () secured () unsecured () 507 priority () other

Nature of Claim:

Current Plan (Paragraph No. _____):

Proposed Plan (Paragraph No. _____):

